

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

WILLIS BOYD ANNIS,

Plaintiff,

v.

DOUGLAS COUNTY PROSECUTORS,  
*et al.*,

Defendants.

Case No. 3:22-cv-00016-MMD-CSD

ORDER

On February 4, 2022, the Court received a letter from *pro se* Plaintiff Willis B. Annis addressed to Chief Judge Miranda M. Du, attached here. Annis currently has three open cases before Judge Du, and two additional cases that were recently closed. In his letter, Annis explained that he is not currently located at Lake's Crossing Hospital, and that he is being illegally detained at 1038 Buckeye Road in Minden, NV—the address of the Douglas County Sheriff's Office and Douglas County Jail. He further states that the letter is his third request for release.<sup>1</sup>

Annis writes that his letter is not an *ex parte* communication. An *ex parte* communication is “a communication between a *pro se* party or attorney and a judge or chambers when the opposing party or attorney is not present or copied, including telephone calls, letters, or emails.” Local Rule IA 7-2(a). A party may not make an *ex parte* communication except as specifically permitted by the Court or the Federal Rules of Civil Procedure, and any *ex parte* filing must state which rule permits the party to file *ex parte* and must explain why the filing is on an *ex parte* basis. Local Rule IA 7-2(b). The

---

<sup>1</sup>Because Annis did not indicate which of his cases, open or closed, this letter was in reference to, if any, the Court indicates that it received this communication in each of Annis' open cases.

1 Court finds that Annis' letter is an ex parte communication that does not fall under any  
2 rule permitting ex parte filings. Annis' letter must be filed on the docket.

3 At this time, the Court cannot address the relief requested in Annis' letter. of Annis'  
4 open cases are civil rights cases brought under 42 U.S.C. § 1983. All § 1983 cases  
5 brought *in forma pauperis* by a prisoner are subject to screening. See 28 U.S.C. § 1915A.  
6 The Court cannot decide whether Annis is entitled to his requested relief until his  
7 complaints are screened. At this time, Annis has not filed a completed application to  
8 proceed *in forma pauperis* and § 1983 complaint on the Court's correct forms in any of  
9 his open cases, so the screening process has not yet begun. Due to the large number of  
10 complaints awaiting screening, the screening process may take several months.

11 Moreover, the Court cautions Annis that he must file a new action if he seeks  
12 release from pretrial detention at the Douglas County Jail. "Habeas corpus proceedings  
13 are the proper mechanism for a prisoner to challenge the 'legality or duration' of  
14 confinement." *Badea v. Cox*, 931 F.2d 573, 574 (9th Cir. 1991) (quoting *Preiser v.*  
15 *Rodriguez*, 411 U.S. 475, 484 (1973)). "A civil rights action, in contrast, is the proper  
16 method of challenging "conditions of . . . confinement." *Id.* (quoting *Preiser*, 411 U.S. at  
17 498-99)). If Annis seeks to challenge his detention at the Douglas County Jail as illegal,  
18 he must file a habeas corpus action and either pay the \$5 filing fee or complete an  
19 application to proceed *in forma pauperis* on the Court's approved forms. If Annis seeks  
20 to challenge the conditions of his confinement at the Douglas County Jail, he must file a  
21 § 1983 complaint, either pay the \$402 filing fee or complete an application to proceed *in*  
22 *forma pauperis* on the Court's approved forms, and await the Court's screening of his  
23 complaint. The Court will not grant relief based on letters sent to a judge.

24 ///

25 ///

26 ///

27 ///

28 ///

1 In this case, the Court has directed Annis to file a completed application to proceed  
2 *in forma pauperis* on the Court's approved form by February 25, 2022. (ECF No. 4) If  
3 Annis do so, the Court will then screen Annis' complaint which, as stated above, may take  
4 several months. If Annis wishes to file a motion in this case, he must include the case  
5 number and explain clearly what relief he seeks and why he is entitled to it.

6 DATED THIS 7<sup>th</sup> Day of February 2022.

7  
8 


9 MIRANDA M. DU  
10 CHIEF UNITED STATES DISTRICT JUDGE  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# Exhibit A

1-30-2022

Miranda DW,

This is Willis Boyd Annis III  
I'm not in Lakes Crossing Hosp,  
I'm Illegally Detained on Non Violent  
Charges. I've got a Pardon for  
non violent charges that clearly  
State I'm not to be arrested or  
Jailed for ~~for~~ ~~out~~ Privoles, Non  
Violent actions, crimes, I'm not  
to be charged! Now I've written  
to this court on several occasions and  
I keep asking for my immediate release.  
You keep saying this release. I've  
told the court that in Case Name,  
Willis Boyd Annis V. State of Vermont  
Prosecutors and Federal Prosecutors in  
the State of Vermont, Case No. —  
5:2013-CV-00047, I have a remedial  
page Table of Relief that was  
approved by a three Panel of  
Second Circuit Supreme Court of  
Appeals Justices 3, 5, and 7  
That Granted me Summary Judgement  
Over all Parties, There is a section  
in that Federal Injunction against  
Pg# 1 of 2

Future charges arrests and being  
jailed for Non Violent charges  
I'm not to be detained this is a  
Signed Pardon from The Supreme  
Court you are in violation of this  
mandate Please Order my release  
to be immediate or I will take  
legal action for Unlawful imprisonment  
in prisonment and Violation of a  
Supreme Court Order, granting me  
immunity against non violent charges.  
See Table/Pages of remedy in case  
No. 3:2013-CV-00047,  
Annis V. State of Vermont Prosecutors  
Et Al. I'm being illegally confined at  
1038 Buckeye Ln. Mendon NV 89423  
This is my 3rd Request for Release  
1-30-2022 

Willis Boyd Annis III  
P.O. Box 1777  
Mendon NV 89423

This is not a EX Parte  
communication

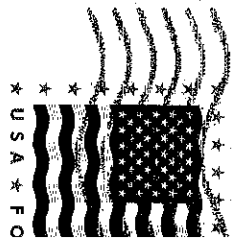
FILED  
ENTERED  
RECEIVED  
COUNSEL/PARTIES OF RECORD  
SERVED ON  
FEB 04 2022  
CLERK US DISTRICT COURT  
DISTRICT OF NEVADA

Boillie Annis  
PO, Box 1777  
Reno NV  
89423

U.S. District Court 9<sup>th</sup> Cir.  
c/o Justice Miranda M. Du.  
400 So. Virginia St  
Reno NV 89501

02 FEB 2022 PM 2 T

RENO NV 895



Douglas County Sheriff's Office, NV  
OUTGOING INMATE MAIL

RECEIVED US MARSHALS SERVICE